IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

Writ Petition No. 3655 of 2005

Shri Prashant P Patel - Petitioner

vs

Regional Officer Mah Pollution Control Board and ors.. respondents

Mr S R.More for Petitioner

Mr. R.V.Govilkar for Abhay Patki for Respondent no.l

Mr C.R.Sonawane AGP for respondent no.3

Mr.H Toor for respondent no. 2.

CORAM;A.P.SHAH & J.H.BHATIA JJ.
Dated ll.7.2005

P C:

l Heard learned counsel for the parties. Pursuant to our order dated22.6.2005 the Pollution Control Board has monitored the compliance with the air, water, and noise pollution in the petitioner's factory and submitted a report dated 8.7.2005 to this court. The report inter alia states as under:

"l. Noise Pollution:

Noise pollution monitoring was carried out

on lst, 2nd, 4th, 5th July 2005 during the working hours of the industry i.e. general shift the results are reported below in the tabular form of Min Max. Avg.

2. Air pollution:

Ambient Air Quality (A A Q) was carried out on ls, 2nd, 4th, 5th July 2005 by High Volume Sampler, the analysis report shows all the parameters are within the permissible limits. Thus as such there is no air pollution.

3. Water pollution:

Industry does not required water in its manufacturing process hence there is no generation of industrial effluent. From the above results it seems that the noise level as far as residential area is considered are exceeding the limits. Industry has not taken any control measures to control the noise pollution".

3 It is seen from the report that there is no air

pollution caused by the manufacturing activities of the petitioner's factory and the question of water pollution also does not arise as there is no generation of factory effluent. However, it appears that noise pollution is slightly higher than the prescribed limit. The learned counsel for the Air Pollution Control Board agrees to consider the application of the petitioner afresh and take appropriate decision in the matter. The learned counsel for the petitioner states that the petitioner would take appropriate measures to reduce noise pollution. Petition is accordingly disposed of.